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S/N 09/757,824

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Beverly L. Davidson et al.

Examiner: Geetha P. Bansal

Serial No.: 09/757,824

Group Art Unit: 1642

Filed: January 9, 2001

Docket: 875.043US1

Title: PTD MODIFIED PROTEINS

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Applicant has reviewed the Restriction Requirement mailed February 21, 2002, wherein the Examiner has requested election of one of the following groups:

- I. Claims 1-33, 49-52, drawn to nucleic acid sequence operably linked to a nucleic acid sequence encoding a PTD, classified in class 536, subclass 25.2 and class 435, subclass 69.7.
- II. Claims 34-48, drawn to a polypeptide operably linked to a nucleic acid sequence encoding a PTD, classified in class 530, subclass 358.
- III. Claims 53-56, 59, 61, drawn to a method of treating a lysosomal storage disease by administering a polynucleotide, or vector or cell containing the polynucleotide, classified in class 514, subclass 44.
- IV. Claims 53-54, 57-59, 61, drawn to a method of treating a neurodegenerative disease by administering a polynucleotide, or vector or cell containing the polynucleotide, classified in class 514, subclass 44.
- V. Claim 60, drawn to a method of treating a genetic disease by administering a polypeptide, classified in class 514, subclass 2.
- VI. Claim 60, drawn to a method of treating a cancer by administering a polypeptide, classified in class 514, subclass 2.

Applicant provisionally elects, with traverse, the claims of Group II (claims 34-48). The Restriction Requirement is traversed on the basis that Restriction Requirements are optional in all cases. M.P.E.P. § 803. If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it arguably may

include claims to distinct or independent inventions. M.P.E.P. § 803. It is respectfully submitted that the search and examination of all of the claims of the present application and, in particular, claims in Groups I and II can be made without serious burden on the Office. Claims 34-48 (Group II) are directed to polypeptides operably linked to a nucleic acid sequence encoding a PTD and claims 1-33, 49-52 are directed to nucleic acids that encode these polypeptides. Given the close relationship between the subject matter of the claims, no additional serious burden can result from the search and examination of all of the claims. Thus, reconsideration and withdrawal of the Restriction Requirement is respectfully requested.


The Examiner is invited to contact Applicants' Representative if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

Respectfully submitted,

BEVERLY L. DAVIDSON ET AL.

By their Representatives,

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Date 21 March 2002 By 
Ann S. Viksnins
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 21 day of March, 2002.

Candis B. Buending
Name


Signature